

THE UNION LEAGUE

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March 23, 2004

Ms. Carlyn Winter Prisk (3HS11)
U.S. Environmental Protection Agency – Region III
1650 Arch Street
Philadelphia, PA 19103-2029

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**Re: Lower Darby Creek Area Superfund Site
Response to Follow-up Section 104(e) Letter**

Dear Ms. Winter Prisk:

This letter is submitted in response to your follow-up information inquiry letter (the "Follow-up 104(e) Letter") sent to The Union League concerning the Lower Darby Creek Superfund Site (the "Site"). It is intended to supplement our initial response of January 9, 2004.

In response to the three questions posed in the Follow-up 104(e) Letter [Enclosure F], and subject to the Preliminary Objections and Reservations of Rights set forth in the initial response, we offer the following:

1. As previously noted, based on what we were able to learn, the Union League operated its own incinerator on-site from sometime in the early 1970s until sometime in the 1980s. The incinerator would have been used for general office waste, primarily paper, cardboard, magazines. We have no information or documents to enable us to be any more precise concerning dates. There is no one currently in the employ of the Union League who was responsible for incinerator operation or ash management during the relevant time period (as described in the original EPA 104(e) Letter). There is no one currently in the employ of the Union League who has particular knowledge or information regarding incinerator operation or ash management during the relevant time period. In developing a response to this question, we again contacted former maintenance employee Charles Thiee, who worked in maintenance for some portion of the relevant time period. Mr. Thiee recalled that ash was shoveled into a metal "trashcan" which, when full, was placed outside the Union League on Moravian Street for pickup by an outside waste hauler. Mr. Thiee did not know how many metal trashcans were used, how often ash was put out or the volume of ash generated during the relevant time period. Mr. Thiee also did not recall the name of the waste hauler contracted to pick up the ash, noting that the Union League had "many" trash haulers (whose names he could not recall) over the years of his employment. As



previously reported, the Union League has no pertinent records from the 1958-1976 time period.

2. We reviewed the documents you provided with the Follow-up 104(e) Letter, which are referred to as "waste slips." We cannot authenticate the documents because, in part, (a) they are not on Union League letterhead or stationary, so do not appear to be Union League documents, (b) on their face, they do not otherwise appear to have been prepared by the Union League or its staff, (c) we do not have copies of these documents in our files and cannot attest to ever having had originals or copies, and (d) the documents themselves are not original documents and, in that respect, their appearance may have been altered by subsequent events or handling. That said, some of the handwritten names on these documents appear to be those of security guards formerly employed or, in one case, still in the employ of the Union League. The following persons were employed as security guards by the Union League and have names similar to, perhaps the same as, the names appearing on the so-called waste slips:

Nick Dogas – security guard
Stephen Polo – former security guard
Jules Politowski – former security guard
M. Upchurch – former security guard

The Union League still has in its employ as a security guard Nick Dogas, who has at times been stationed as the security guard at the Moravian Street entrance to the Union League, where contractors make deliveries and waste receptacles are staged for pickup by outside waste haulers. Mr. Dogas, who started at the Union League in September, 1972, recalls that on occasion when stationed at the Moravian Street entrance, he was asked to sign documents of the type accompanying the Follow-up 104(e) Letter. He has no recollection of having signed the document(s) bearing what appears to be his name, although he believes the document(s) reflect his signature. As a security guard, Mr. Dogas did not have responsibility for the generation or handling of solid wastes and is not knowledgeable regarding the types or volumes of wastes generated during the relevant time period. His role was limited to occasionally signing pick-up and delivery documents handed to him by outside contractors who accessed the facility through the Moravian Street entrance.

3. The persons identified in question no. 3 were employees of the Union League, each serving as a security guard. Nick Dogas is still employed as a security guard.

Nick Dogas – security guard – 9/72 to present; resides in Philadelphia.

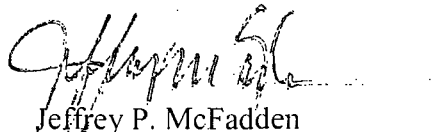
We do not have any employment records for the following individuals and no information to indicate their years of employment or contact information:

Stephen Polo
Alan Batezell
Jules Politowski
M. Upchurch

These gentlemen would either be very elderly or deceased by this time. We have no way to confirm that the handwritten names appearing on the documents are in fact their signatures.

Thank you for your attention and cooperation.

Very truly yours,



Jeffrey P. McFadden
General Manager